

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

HENRY L. LESTER,	:	
	:	
Plaintiff,	:	Case No.: 5:09-CV-412 (CAR)
	:	
v.	:	
	:	
DR. BURNSIDE, <i>et al</i> ,	:	42 U.S.C. § 1983
	:	
Defendants.	:	
	:	

***ORDER ON THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE***

Before the Court is the United States Magistrate Judge's Recommendation [Doc. 5] pursuant to 28 U.S.C. § 1915(e)(2). Plaintiff has not entered an objection to the Recommendation. Upon review of the Recommendation and consideration of the matter, the Court agrees with the findings and conclusions of the United States Magistrate Judge. The Recommendation is therefore **ADOPTED** and **MADE THE ORDER OF THE COURT**. Defendant Georgia Department of Corrections is hereby **DISMISSED** as a party to this action.

SO ORDERED, this 22nd day of January, 2010.

S/ C. Ashley Royal
C. ASHLEY ROYAL
UNITED STATES DISTRICT JUDGE

THC/apg